

James M. Hanavan, State Bar No. 66097  
Kristen E. Drake, State Bar No. 202827  
CRAIGIE, McCARTHY & CLOW  
540 Pacific Avenue  
San Francisco, CA 94133  
Telephone: (415) 732-7788  
Facsimile: (415) 732-7783

Attorneys for Plaintiff Trevor Moss

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

TREVOR MOSS,

Plaintiff,

v.

TIBERON MINERALS LTD.,

Defendant.

Case No.: C 07-2732- SC

**DECLARATION OF KRISTEN E.  
DRAKE IN SUPPORT OF OPPOSITION  
TO DEFENDANT'S MOTION TO  
DISMISS FOR *FORUM NON-  
CONVENIENS***

Hearing Date: October 26, 2007  
Time: 10:00 a.m.  
Location: Courtroom 1, 17<sup>th</sup> Floor  
Judge: Hon. Samuel Conti

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Declaration of Kristen E. Drake in Support of  
Opposition to Defendant's Motion to Dismiss for  
*Forum Non-Conveniens*

1 I, Kristen E. Drake, declare:

2 1. I am an attorney at law duly admitted to practice before all the courts of the State  
3 of California. I am associated with the law firm of Craigie, McCarthy & Clow, attorneys of  
4 record for plaintiff Trevor Moss.

5 2. During the month of June 2007, I visited defendant Tiberon Minerals Ltd.  
6 (“Tiberon”)’s website at <http://www.tiberon.com>. At that time, a notice was posted on the  
7 website stating that effective on or about June 25, 2007, Tiberon would be closing its Toronto  
8 offices and relocating to Vietnam. Tiberon’s website no longer contains any information and  
9 simply states, “Site Under Construction.”

10 3. I am over eighteen years of age and have the capacity to perceive and recollect. If  
11 called upon to testify, I am competent to testify to the foregoing matters, which are within my  
12 personal knowledge.

13  
14 I declare under penalty of perjury under the laws of the United States that the foregoing is  
15 true and correct and that this declaration was executed on October 5, 2007.

16  
17 /s/ Kristen E. Drake  
18 Kristen E. Drake  
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